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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/029,308	12/28/2001	Eshwari P. Komarla	2207/12036	3514
23838	7590	11/09/2004	EXAMINER	
KENYON & KENYON 1500 K STREET, N.W., SUITE 700 WASHINGTON, DC 20005			IQBAL, NADEEM	
			ART UNIT	PAPER NUMBER
			2114	
DATE MAILED: 11/09/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/029,308

Applicant(s)

KOMARLA ET AL.

Examiner

Nadeem Iqbal

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7, 11-17 and 19-21 is/are rejected.
- 7) ☐ Claim(s) 8-10 and 18 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date Dec 28, 2001.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 1-7, 11-17, 19-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Winokur et al., (U.S. Patent number 5539877) in view of Nguyen et al., (U.S. Patent Application number 2003/0070115).

4. As per claim 1, Winokur et al., teaches (col. 2, lines 20-23) a method and apparatus for determining problems in a computer system. He teaches an inference engine that provides to analyze and correlate error messages in real time. He also teaches (col. 6, lines 51-53) the inference engine receives error events in the order in which the errors arrived. He thus teaches limitations pertain to a method of logging computer errors, receiving an error notification, and collecting a plurality of outstanding error events. He also teaches (col. 4, lines 20-23) that an

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event consists of at least three entities, an error message, a reporting machine and an event creation time. He also teaches (col. 4, lines 32-33) that the message has variables with actual values and is called instantiated message. He thus teaches limitations pertain to arranging the plurality of outstanding error events as a variable-length error record. He does not explicitly disclose storing the error record in a non-volatile memory. Nguyen et al., teaches (col. 2, section 0017, lines 4-6) a computer for logging and retrieving error information, with a nonvolatile memory that receives error information. It would have been obvious to a person of ordinary skill in the art to modify the system of Winokur to include a nonvolatile memory of the type used by Nguyen into the system of Winokur. This is because both inventions are in the same environment of error logging, and, Winokur teaches to receive error messages, and also teaches (col. 3, lines 9-11) a disk to store application programs, therefore provides modification for the stated inclusion.

5. As per claim 2, Winokur teaches (col. 2, lines 20-23) system for determining problems in a computer system, and in particular in a local area network system. He thus would collect the error events from a plurality of peripheral devices.

6. As per claim 3, Winokur teaches (col. 4, lines 23-25) that an error message is part of event and is issued by a device, for example a LAN server or requester; therefore he also utilizes a hardware interrupt for the error notification.

7. As per claim 4, Winokur teaches (col. 4, lines 11-13) that the knowledge in the knowledge base is read by the inference engine and then the inference engine uses the data to process incoming error events. He thus would also utilize software polling operation.

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8. As per claim 5, Winokur teaches (col. 6, lines 57-59) that the incoming error message is compared with other already received events to filter out repeated error messages, the error message is then analyzed to determine if the message is triggered by another message. He thus teaches limitations pertain to interrogating peripheral devices, and filtering error events.

9. As per claims 6 & 17, Winokur also teaches (col. 6, lines 51-53) the inference engine receives error events in the order in which the errors arrived. He thus teaches limitations pertain to gathering information about a plurality of error events. He also teaches (col. 4, lines 20-23) that an event consists of at least three entities, an error message, a reporting machine and an event creation time. He also teaches (col. 4, lines 32-33) that the message has variables with actual values and is called instantiated message. He thus teaches limitations pertain formatting the gathered information as an error record and storing the error record in memory.

10. As per claims 7 & 21, Winokur does not explicitly disclose the memory is a non-volatile storage medium. Nguyen et al., teaches (col. 2, section 0017, lines 4-6) a computer for logging and retrieving error information, with a nonvolatile memory that receives error information. It would have been obvious to a person of ordinary skill in the art to modify the system of Winokur to include a nonvolatile memory of the type used by Nguyen into the system of Winokur. This is because both inventions are in the same environment of error logging, and, Winokur teaches to receive error messages, and also teaches (col. 3, lines 9-11) a disk to store application programs, therefore provides modification for the stated inclusion.

11. As per claim 11, Winokur teaches (col. 6, lines 57-59) that the incoming error message is compared with other already received events to filter out repeated error messages, the error

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message is then analyzed to determine if the message is triggered by another message. He thus teaches limitations pertain to interrogating peripheral devices, and filtering error events.

12. As per claims 12 & 19, Winokur teaches (col. 6, lines 53-55) if the error message is recognized, information about its possible causes is retrieved and attached to the event. He thus teaches marking the error record as unconsumed.

13. As per claim 13, Winokur teaches (col. 4, lines 9-11) that a user can modify and expand the data base with a knowledge base editor and that the knowledge base is read by the inference engine and then the information engine uses the data to process incoming error events. He thus teaches retrieval the error upon request.

14. As per claim 14, Winokur teaches (col. 4, lines 9-11) after the information is processed by the inference engine, a problem report is generated. He thus teaches limitations pertain to publishing the error record.

15. As per claims 15, 16 & 20, Winokur teaches (col. 6, lines 60-63) to check to determine whether the triggering message has arrived or not, if the triggering message has arrived, the new error message will be disregarded. He thus also would free up memory for reuse.

Allowable Subject Matter

16. Claims 8-10, & 18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

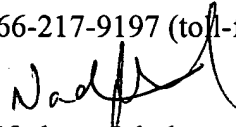
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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nadeem Iqbal whose telephone number is (571)-272-3659. The examiner can normally be reached on M-F (8:00-5:30) First Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert W Beausoliel can be reached on (571)-272-3645. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Nadeem Iqbal
Primary Examiner
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NI